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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,090	12/23/2000	Walter T. Dobberpuhl	JW-EMC-005	2443

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EMC CORPORATION  
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EXAMINER

JACOBS, LASHONDA T

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/746,090

Applicant(s)

DOBBERPUHL ET AL.

Examiner

LaShonda T. Jacobs

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) 9-24 and 33-48 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 25-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This Office Action is in response to Applicants' election to the Restriction Requirement filed on February 17, 2005. Group I has been elected. Claims 9-24 and 33-48 are withdrawn from consideration. Claims 1-8 and 25-32 are presented for further examination.

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8 and 25-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Fascenda (U.S. Pat. No. 6,466,937).

As per claims 1, 5, 25 and 29, Fascenda discloses in a computer network having an events notification system said network including at least one client having a client-database, at least one server having at least one server-database, said at least one client: (1) selecting said events and desired notification responses thereto to obtain selected data, (2) creating a plurality of event notification template objects from said selected data and storing said objects in said client database; and, (3) transmitting said objects from said client database to selected ones of said at least one server to obtain server-database event notification template objects and commanding

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immediate usage of said server-database template objects by said at least one server, an

improved method to maintain operating integrity of said network, said improvement comprising:

- said at least one client ensuring that any pre-existing said server database template objects and any of said plurality of template objects which are identically-named contain identical object data (col. 11, lines 1-21).

As per claims 2, 6, 26 and 30, Fascenda discloses wherein said ensuring comprises:

- client retrieving said any pre-existing said server-database template objects and comparing each of the names of said any pre-existing template objects with each of the names of said plurality of template objects stored in said client-database (col. 17, lines 21-38);
- adding new templates comprising pre-existing object data associated with any of said names of said any pre-existing template objects that do not match said names of said plurality of template objects, to said client database (col. 17, lines 21-38); and
- resolving any conflict between any said any pre-existing said server-database template objects and any of said plurality of template objects having identical names but having said pre-existing object data different from said object data (col. 11, lines 1-21 and col. 17, lines 21-38).

As per claims 3, 7, 27 and 31, Fascenda discloses wherein said resolving is selected from the group consisting of:

- deleting said server-stored template objects, renaming said server-stored template objects, and updating said server-stored template objects (col. 11, lines 1-21).

As per claims 4, 8, 28 and 32, Fascenda further discloses:

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- including repeating acts for all said any pre-existing and server-database template objects (col. 11, lines 1-21 and col. 17, lines 21-38).

As per claims **10** and **34**, Fascenda discloses said resolving is selected from the group consisting of:

- deleting, renaming and updating said pre-existing server-location template objects (col. 11, lines 1-21).

### *Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,560,604 to Fascenda

U.S. Pub. No. 2003/0046291 to Fascenda

U.S. Pat. No. 6,859,829 to Parupudi et al

U.S. Pat. No. 6,185,613 to Lawson et al

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004.

The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs  
Examiner  
Art Unit 2157

ltj  
August 30, 2005

  
ARMAND ETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100